

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

WILLIAM E. MELENDEZ

Plaintiff

vs

CIVIL 04-1242CCC

QUANTUM BUSINES ENGINEERING,  
INC.

d/b/a QSI QUANTUM SYSTEMS  
INTEGRATORS;

RAFAEL VIDAILLET AND HIS SPOUSE  
"JANE DOE" and their conjugal partnership;  
ARTURO PARDO AND HIS SPOUSE "rose  
roe" AND THEIR CONJUGAL  
PARTNERSHIP;

GILBERTO LOPEZ AND HIS SPOUSE  
"GINA TOW" and their conjugal  
partnership;

FELIX RAMIREZ AND HIS SPOUSE "LINA  
ROW" and their conjugal partnership;  
ABC INSURANCE COMPANY

Defendants

**O R D E R**

Having considered the Motion to Compel Discovery filed by plaintiff on November 29, 2004 (**docket entry 21**) and defendants' sealed response filed on January 13, 2005 (**docket entry 33**), the same is DENIED as MOOT. Having further considered plaintiff's Objections to Defendants' Answer to Request for Production of Documents filed on December 28, 2004 (**docket entry 28**) and defendants' sealed response (**docket entry 33**), which addresses this matter at pp. 11-14, the same is DENIED since it is apparent to the Court that a Local Civil Rule 26(b) conference was not held before plaintiff filed his extensive objections requesting the Court to resolve them without first holding a conference where each of these objections were fully discussed by the attorneys. The request for reconsideration of the Court's denial of the joint motion seeking extension to conclude discovery contained in defendants' sealed response (**docket entry 33**) is DENIED. Defendants' further request until January 21, 2005 to serve answers to all pending discovery requests is MOOT.

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Plaintiff's Motion Requesting Court Order filed on November 29, 2004 (**docket entry 22**) is DENIED.

Having considered the Motion to Compel Discovery as to the Public Buildings Authority as Provided by Rule 45 of the Federal Rules of Civil Procedure filed by plaintiff on December 9, 2004 (**docket entry 23**), the Motion to Quash filed by the Public Building Authority (PBA) on March 4, 2005 (**docket entry 43**) after the Court ordered plaintiff on December 20, 2004 (see docket entry 27) to notify the PBA of his motion, and plaintiff's opposition filed on March 21, 2005 (docket entry 47), said motion to quash (**docket entry 43**) is DENIED since the only grounds raised in support thereof, the failure to tender fees, no longer exists. Accordingly, the Motion to Compel Discovery served on PBA by plaintiff (**docket entry 23**) is GRANTED. Said agency will produce and allow plaintiff to examine at its premises the documents requested through the subpoena.

Plaintiff's Motion in Compliance With Court Order filed on December 28, 2004 (**docket entry 27**) is NOTED.

Plaintiff's Errata Sheet filed on December 28, 2004 (**docket entry 29**) is NOTED.

Defendants' Notice to the Court filed on January 21, 2005 (**docket entry 35**) is NOTED.

Plaintiff's Motion Clarifying the Nature of Docket Document #28 filed on February 18, 2005 (**docket entry 37**) is NOTED.

Plaintiff's Second Errata Sheet filed on February 21, 2005 (**docket entry 38**) is NOTED.

Plaintiff's Motion to Compel Co-defendants to Affirmatively Answer [His] First and Second Set of Interrogatories and Second Request for Production of Documents filed on February 22, 2005 (**docket entry 41**) is DENIED. There is insufficient information in this motion showing that movant fully complied with Local Civil Rule 26(b) before bringing the

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discovery dispute before the Court for resolution. The information provided, i.e. suggesting a date for the conference, does not go beyond a single attempt to confer which the Local Civil Rule clearly classifies as insufficient compliance.

SO ORDERED.

At San Juan, Puerto Rico, on September 22, 2005.

S/CARMEN CONSUELO CEREZO  
United States District Judge